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Report of the external auditor for the financial period 2015-2016, with financial statements of the International Tribunal for the Law of the Sea as at 31 December 2016

(Presented by the Tribunal)

1. Ernst & Young GmbH Wirtschaftsprüfergesellschaft (hereinafter "the Auditor") audited the financial statements of the International Tribunal for the Law of the Sea for the financial period from 1 January 2015 to 31 December 2016 in January 2017 and submitted its report on 9 March 2017 (see annex). An audit of certain aspects of the Tribunal's operational procedures was also undertaken by the Auditor, as indicated in the letter of engagement of 16 August 2012, signed by the Registrar.

2. It is noted from the report that the Auditor was of the view that the financial statements of the Tribunal for the period from 1 January 2015 to 31 December 2016 had been prepared, in all material respects, in accordance with the Financial Regulations and Rules of the Tribunal.

3. Financial regulation 12.8 stipulates that "the Tribunal shall examine the financial statements and the audit reports and shall forward them to the Meeting of States Parties, with such comments as it deems appropriate".

* SPLOS/L.78.

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Annex

Report of the external auditor for the financial period 2015-2016, with financial statements of the International Tribunal for the Law of the Sea as at 31 December 2016

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I. Audit engagement

At the twenty-second Meeting of States Parties to the United Nations Convention on the Law of the Sea, held from 4 to 11 June 2012, we were appointed as auditors of the International Tribunal for the Law of the Sea, Hamburg. Thereupon, the Registrar of the Tribunal engaged us to audit the Tribunal's financial statements for the period from 1 January 2015 to 31 December 2016 in accordance with the Financial Regulations and Rules of the Tribunal. Our audit did not cover appendices2, 3 and 4, but we have read that information to identify material inconsistencies, if any, with the audited financial statements.

For information on the engagement terms and liability provisions applicable to this engagement and the restrictions on distribution and use of our reporting, please see the explanations in the auditor's report as well as the "General engagement terms for Wirtschaftsprüfer (German Public Auditors) and Wirtschaftsprüfungsgesellschaften (Public Audit Firms)" dated 1 January 2002 (see appendix VII).

Our reporting beyond the scope of the auditor's report complies with the Generally Accepted Standards for the Issuance of Long-Form Audit Reports for the Audits of Financial Statements (IDW AuS 450) issued by the Institute of Public Auditors in Germany.

The present report is addressed to the Tribunal.

II. Purpose, nature and scope of the audit

A. Purpose of the audit

During our audit engagement, we examined whether the financial statements, comprising the statement of income, expenditures and changes in reserves and fund balances, the statement of assets, liabilities, reserves and fund balances, the cash flow statement and the notes to the financial statements, complied with the Financial Regulations and Rules of the Tribunal.

Assessment criteria for our audit of the financial statements were the Financial Regulations and Rules of the Tribunal.

Prior to accepting the engagement, we had to assess, on the basis of our knowledge and understanding at that time, whether the accounting principles to be applied (basis of accounting) were reasonable under the circumstances. To do so, we had to obtain an understanding of:

(a) The purpose of the financial statements;

(b) The users of the financial statements;

(c) Which steps the legal representatives had taken to determine whether the accounting principles to be used were reasonable under the circumstances.

Our preliminary conclusion that the basis of accounting used for preparing and auditing the financial statements was reasonable under the circumstances (IDW AuS 480, sect. 15) was confirmed in the course of our audit.

The Registrar is responsible for the books and records, the accounting-related internal control system, the preparation of the financial statements in accordance with the basis of accounting, including an understandable and accurate presentation and/or appropriate description of the basis of accounting, as well as the explanations and documents provided to us. It is our responsibility to assess those documents and that information during our audit performed in accordance with professional standards.

B. Nature and scope of the audit

Our audit was performed in accordance with the German generally accepted standards for the audit of financial statements as issued by the Institute of Public Auditors in Germany.

Those standards require that we plan and perform the audit to provide reasonable assurance that the books and records and the financial statements do not contain any significant inaccuracies or infringements.

The object of our audit of the financial statements is therefore to identify such inaccuracies and infringements of the basis of accounting which might materially affect the presentation of the financial statements.

The basis of our audit methodology, which is risk and process oriented, is the development of an audit strategy. This strategy is based on the assessment of the economic and legal environment of the Tribunal, its goals, strategies and business risks, which we evaluate with the help of critical success factors. The subsequent examination of the accounting-related internal control system and its effectiveness is supported by process analyses. These are performed at regular intervals, especially in the case of organizational changes or changes in policy. The aim is to determine the impact of such changes on relevant financial statement items and hence to evaluate business risks and our audit risk. Findings from the analysis of processes and the accounting-related internal control system were taken into account in choosing the analytical procedures (plausibility tests) and substantive testing of assets and liabilities, recognition, disclosure and valuation in the financial statements. The audit programme, which is specifically tailored to the Tribunal, determines the key elements of the audit, the nature and scope of audit procedures as well as the timing and staffing of the audit. This approach is based on the principles of risk assessment and materiality. We therefore reached our auditor's report primarily on a test basis.

Our audit programme for the reporting years focused on the following:

- Analysis of the process related to the preparation of the financial statements
- Design, implementation and effectiveness of the internal controls in the processes relating to contributions and expenditures
- Contribution receivables from States Parties
- Contributions received in advance
- Surrender of savings from prior years
- Current-period obligations

- Major expenditures

We also performed the following standard audit procedures:

- We received bank confirmations from financial institutions.

We were provided with all the explanations and supporting documents requested. In a letter of representation submitted to us, the Registrar confirmed the completeness of those explanations and documents and of the books and records and the financial statements.

III. Findings on the financial reporting

A. Prior-year financial statements

The prior-period financial statements were presented by the Registrar at the twenty-third Meeting of States Parties, from 8 to 12 June 2015.

B. Basis of valuation

Regarding the applied basis of valuation, reference is made to the explanation of the Tribunal in the notes to the financial statements.

IV. Findings from audit procedures of additional audit scope for the period from 1 January 2015 to 31 December 2016

The examination of the operational procedures, including the administration of the Nippon Foundation grant, the Trust Fund for the Law of the Sea, the China Institute of International Studies grant and the Trust Fund for the twentieth anniversary of the Tribunal did not lead to material findings. We refer to our audit procedures and results in appendix VI.

V. Independent Auditor's report

To the International Tribunal for the Law of the Sea

We have audited the accompanying financial statements of the International Tribunal for the Law of the Sea, Hamburg, which comprise the statement of income, expenditures and changes in reserve and fund balances, statement of assets, liabilities, reserves and fund balances, statements of cash flows and notes to the financial statements, for the period from 1 January 2015 to 31 December 2016.

Management's responsibility for the financial statements

Management is responsible for the preparation of the financial statements in accordance with the Financial Regulations and Rules of the International Tribunal for the Law of the Sea and for such internal control as management determines is

necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit of the financial statements in accordance with German generally accepted standards for the audit of financial statements promulgated by the Institute of Public Auditors in Germany. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements of the International Tribunal for the Law of the Sea, Hamburg, for the period from 1 January 2015 to 31 December 2016 are prepared, in all material respects, in accordance with the Financial Regulations and Rules of the International Tribunal for the Law of the Sea.

Accounting principles as well as restrictions on disclosure and use

Without qualifying our opinion, we draw attention to the Financial Regulations and Rules of the Tribunal for the Law of the Sea (see www.un.org/Depts/los/meeting_states_parties/SPLOS_documents.htm#Other) relating to the financial statements, which describe the basis of accounting. The financial statements are prepared to support the Registrar in meeting its accountability obligations according to the Financial Regulations and Rules. As a result, the financial statements may not be suitable for another purpose. Our auditor's report is exclusively addressed to the Tribunal and may not be distributed to or used by third parties without our consent.

Limitation of liability

The "General engagement terms for Wirtschaftsprüfer (German Public Auditors) and Wirtschaftsprüfungsgesellschaften (Public Audit Firms)", as issued by the Institute of Public Auditors in Germany on 1 January 2002 (see appendix VII),

are applicable to this engagement and also govern our responsibility and liability to third parties in the context of this engagement.

Hamburg, 22 February 2017

Ernst & Young GmbH
Wirtschaftsprüfungsgesellschaft

(*Signed*) (Kreninger)
Wirtschaftsprüferin
(German Public Auditor)

(*Signed*) (Schnitger)
Wirtschaftsprüferin
(German Public Auditor)

Appendix I

Financial statements of the International Tribunal for the Law of the Sea

Statement of income, expenditures and changes in reserves and fund balances for the period from 1 January 2015 to 31 December 2016

	Note	*2015-2016 (in euros)*	*2013-2014 (in euros)*
Income			
Assessed contributions	3	18 814 162	21 239 120
Other income			
Savings due to cancellation of prior-period obligations		41 977	49 644
Gains and losses on exchange		(15 157)	(18 394)
Miscellaneous income		12 176	11 199
Interest income		2 401	15 266
Total income		**18 855 559**	**21 296 835**
Expenditures	4		
Total expenditures and obligations		(18 662 719)	19 241 443
Excess of income over expenditures		**192 840**	**2 055 392**
Final excess of income over expenditures		**192 840**	**2 055 392**
Movement in reserves			
Release of 2007-2008 reserves			
Surrender to States parties in 2009-2010		(1 837 669)	(879 051)
Increase in Working Capital Fund		–	350 000
Total in movement in reserves		**(1 644 829)**	**1 526 341**
Fund balances at beginning of financial period		4 984 322	3 457 981
Fund balances as at 31 December 2014		**3 339 493**	**4 984 322**

Statement of assets, liabilities, reserves and fund balances as at 31 December 2016

	Note	31 Dec. 2016 (in euros)	31 Dec. 2014 (in euros)
Assets			
Cash and term deposits		6 829 040	5 656 054
Contributions receivable from States parties		1 011 197	1 479 049
Tax reimbursements due		49 999	151 790
Accounts receivable — others		76 005	148 170
Prepaid expenses		26 180	13 069
Total assets		**7 992 421**	**7 448 132**
Liabilities	7		
Contributions received in advance		2 436 580	1 508 736
Surrender of savings from prior years		1 850 161	542 374
Current-period obligations		336 044	412 646
Staff assessment special account		41	54
Accounts payable		30 102	0
Total liabilities		**4 652 928**	**2 463 810**
Net assets		**3 339 493**	**4 984 322**
Reserves and fund balances	8		
Working Capital Fund		1 309 132	1 309 132
Prior-period gains reserve		1 837 521	1 619 798
Excess of income over expenditures		192 840	2 055 392
Total reserves and fund balances		**3 339 493**	**4 984 322**
Total reserves		**3 339 493**	**4 984 322**

Statement of cash flows for the biennium 2015-2016

	2015-2016 (in euros)	*2013-2014 (in euros)*
Cash flows from operating activities		
Net excess (shortfall) of income over expenditures	192 840	2 055 392
(Increase) decrease in contributions receivable	467 852	(443 795)
(Increase) decrease in tax reimbursements due	101 791	(62 883)
(Increase) decrease in other accounts receivable	72 165	44 361
(Increase) decrease in prepaid expenses	(13 111)	(13 069)
Increase (decrease) in current-period obligations	(76 602)	(180 736)
Increase (decrease) in contributions received in advance	927 844	(1 034 907)
Increase (decrease) in accounts payable	30 102	(17 030)
Less: interest income	(2 401)	(15 266)
Net cash from operating activities	**1 700 480**	**332 067**
Cash flows from investing and financing activities		
Plus: interest income	2 401	15 266
Net cash from operating, investing and financing activities	**1 702 881**	**347 333**
Cash flows from other sources		
Increase (decrease) in Working Capital Fund	–	350 000
Increase (decrease) in prior-period gains reserve	(1 837 669)	(879 051)
Increase (decrease) in surrender of savings from prior years	1 307 774	(1 343 101)
Net increase (decrease) in cash and term deposits	**1 172 986**	**(1 524 819)**
Cash and term deposits at beginning of period	**5 656 054**	**7 180 873**
Cash and term deposits at end of period	**6 829 040**	**5 656 054**

Notes to the financial statements for the period from 1 January 2015 to 31 December 2016

Note 1
Statement of the objectives and activities of the Tribunal

The International Tribunal for the Law of the Sea is an international judicial body established by the United Nations Convention on the Law of the Sea to adjudicate disputes arising out of the interpretation or application of the Convention. It began its activities in 1996. The Tribunal is open to States parties to the Convention and, in certain cases, to entities other than States parties (such as international organizations and natural or juridical persons). The jurisdiction of the Tribunal comprises all disputes submitted to it in accordance with the Convention. It also extends to all matters specifically provided for in any other agreement which confers jurisdiction upon the Tribunal. The Tribunal is composed of 21 independent members elected by the States parties to the Convention. It is assisted by a Registry consisting of 38 staff members.

Note 2
Summary of significant accounting policies

On 12 June 2003, the thirteenth Meeting of States Parties adopted the Financial Regulations of the Tribunal and decided that they should become effective on 1 January 2004 and apply to the financial period 2005-2006 and subsequent financial periods (SPLOS/100). Pursuant to financial regulation 10.1 (a), the Tribunal adopted its Financial Rules in 2004. The States parties took note of the Financial Rules at their fourteenth Meeting in 2004. The Financial Rules became effective on 1 January 2005.

Financial period

Pursuant to financial regulation 2, the financial period which is the subject of the present report is the two-year period from 1 January 2015 to 31 December 2016.

Currency of accounts

Pursuant to financial regulation 11.2, the presentation currency is the euro. The accounting records are also maintained in euros.

Foreign currency transactions

Transactions in currencies other than the euro are converted into the euro using the United Nations operational rates of exchange, except for assessed contributions paid in United States dollars. For the contributions paid in United States dollars, the conversion into euros is made at the most favourable rate of exchange available to the Tribunal on the date of the payment, in accordance with financial rule 105.2.

The differences in exchange rates which may occur between the date of recording and the date of settling the transactions are recorded in the statement of income, expenditures and changes in reserves and fund balances as gains or losses on exchange.

Assets and liabilities in currencies other than the euro are revalued at the end of the financial period at the prevailing United Nations operational rates of exchange. The revaluation amounts are recorded in the statement of income, expenditures and changes in reserves and fund balances as gains or losses on exchange.

Income

Income consists of assessed contributions from the States parties. Contributions for the two-year financial period are assessed as 50 per cent in year one and 50 per cent in year two. All other income received by the Tribunal is classified as miscellaneous income and is included as general resources (see note 3).

Expenditures

All the expenditures of the Tribunal are recorded against allocated lines of budgetary appropriation.

Expenditures of the Tribunal are accounted for on an accrual basis, except for those relating to staff entitlements, which are accounted for on the basis of cash disbursements. No provision is made for any future liabilities arising from staff entitlements due to repatriation, accumulated annual leave and compensatory time and from pension entitlements of the members of the Tribunal (see note 5).

Assets and liabilities

All funds received are deposited into the Tribunal's bank accounts, including those under special account arrangements, and are reflected as cash holdings. Non-expendable equipment (especially computer hardware and software) is not included in the assets but is charged against the current appropriations when acquired. A separate listing of non-expendable equipment is maintained for control purposes. Assets are valued at nominal value. Liabilities are valued at the repayment amount.

Working Capital Fund

The eighth Meeting of States Parties, held in 1998, authorized the establishment of a working capital fund to ensure continuity of operation in the event of temporary shortfalls in funds, and to provide the Tribunal with the necessary financial means to dispose of cases, in particular those involving urgent proceedings (see SPLOS/70).

The current amount of the Working Capital Fund available to the Tribunal is €542,118, which was converted from US$ 650,000 in November 2003 in accordance with the Financial Regulations of the Tribunal.

The current level of €542,118 represents 2.87 per cent of the approved budget of the Tribunal for 2015-2016. In line with the United Nations practice, an amount of approximately 8 per cent of the annual budget (4 per cent of the Tribunal's biennial budget) is considered appropriate. In the case of the Tribunal an adequate level in the Working Capital Fund would then be €755,448 (4 per cent of the biennial budget). However, to minimize increases in the 2015-2016 budget and in the light of an additional amount appropriated to the Working Capital Fund to cover unforeseen case-related expenses, as detailed in the paragraph below, no increase of

the Working Capital Fund was included in the budget proposals for 2015-2016 submitted to the Meeting of States Parties in 2014.

In addition to the amount of US$ 650,000 referred to above, the twelfth Meeting of States Parties, held in 2002, approved, on an exceptional basis, the appropriation of US$ 500,000 (being part of the savings from the financial period 2001) to the Working Capital Fund of the Tribunal, in order to provide the Tribunal with the necessary financial means, in the event of temporary shortfalls in funds, to deal with cases whenever the cost could not be met from case-related costs or from the transfer of funds between appropriation sections (SPLOS/L.28). This amount was converted into €417,014 in November 2005, in accordance with the Financial Regulations of the Tribunal.

In June 2014, at their twenty-fourth meeting, the States parties decided, on an exceptional basis, to transfer an amount of €350,000 from the 2011-2012 cash surplus to the Working Capital Fund, to cover the cost of considering cases that cannot be met from the funds allocated for case-related costs (SPLOS/275). The total Working Capital Fund currently stands at €1,309,132.

Note 3
Income

The Tribunal's income in the financial period 2015-2016 totalled €18,855,559.

Income includes assessed contributions from 168 States parties (including the European Union) totalling €18,814,162.

Total income also includes:

(a) Interest income of €2,401 earned on deposit accounts;

(b) Savings due to the cancellation of prior-period obligations, in the amount of €41,977;

(c) A net loss of €15,157 from gains and losses on exchange resulting from foreign currency transactions and revaluations of foreign currency account balances;

(d) Net miscellaneous income of €12,176, which includes contributions from two new States parties in the amount of €3,438, in accordance with financial rule 107.1., sales of the Tribunal's ties and pens, refunds from the gas and water suppliers, a refund for overtime worked during a seminar, non-refundable value added tax (tax amount less than €25), a contribution in the amount of €2,923, which could not be identified during a previous financial period, and losses in petty cash in the amount of €560.

Note 4
Expenditure

The budget for the financial period 2015-2016, in the amount of €18,886,200, was approved by the twenty-fourth Meeting of States Parties in June 2014 (SPLOS/275). In accordance with the decision adopted by the twenty-fourth Meeting of States Parties, the Tribunal decided at its thirty-ninth session to achieve additional savings in the amount of €68,600 under recurrent expenditure of the 2016

budget. Accordingly, the final 2015-2016 budget of the Tribunal amounts to €18,817,600.

Budget estimates for staff salaries and judges' allowances were based on the United States dollar/euro exchange rate of 0.731 in March 2014. By the end of the financial period, the exchange rate between the United States dollar and the euro was 0.956. This represents a decrease of 23.54 per cent in the value of the euro against the United States dollar. However, this had no significant impact on most of the expenditure of the Tribunal, since most of the expenditures were made in euros, and payments to judges and staff members were subject to an adjustment mechanism which has the effect of largely absorbing the fluctuations of the United States dollar against the euro. The appropriations for the judges' pension scheme and for representation allowance were calculated by using the United States dollar as reference currency. Thus the overexpenditure under these two budget lines can be explained by the strong appreciation of the United States dollar against the euro in the financial period 2015-2016.

Expenditure for the financial period 2015-2016 totalled €18,662,719.

The total expenditure recorded in section 1, "Judges", amounts to €4,161,553.

This amount is within the initial appropriation of €4,246,100 for section 1, "Judges". Overexpenditures, however, occurred in the budget line "annual allowance".

The overexpenditure under "annual allowance" in the amount of €68,172 is due mainly to the fact that two judges whose term of office ended on 30 September 2014 continued to sit in case No. 21 until 2 April 2015 in accordance with the Rules of the Tribunal. During that period those two judges received annual allowance while the payment of their pension was suspended. Another factor which explains the overexpenditure is the fact that the remuneration of judges was increased twice during the financial period concerned, in 2015 and in 2016.

The above-mentioned overexpenditure, totalling €68,172, was fully absorbed by the redeployment of appropriations within the section "Judges". As a result, the section shows a final balance of €84,547.

As regards the pensions of the members of the Tribunal under section 2, "Judges' pension scheme", it should be noted that pensions are fixed in United States dollars, without any post adjustment mechanism. The appreciation of the dollar against the euro therefore has a direct effect on the budget performance. In addition, a member of the Tribunal resigned in May 2015 and the resulting pension obligation for the period from May 2015 to December 2016 was not provided for in the 2015-2016 budget.

Section 4, "Representation allowance", which is based on an amount calculated in United States dollars, shows an overexpenditure of €2,617 which is entirely due to the depreciation of the euro against the dollar during the financial period.

The budget for part C, "Case-related costs", was based on the holding of meetings in respect of case No. 21 from January to April 2015 and two urgent cases. During the 2015-2016 financial period, however, the Tribunal was able to deal,

within the budget appropriation, with case No. 21, two urgent cases (cases Nos. 23 and 24) and preliminary objections in case No. 25.

It may be noted that, while the budget appropriations provided for judges ad hoc for only two urgent cases, judges ad hoc were nominated by the parties in cases Nos. 23, 24 and 25. This explains the overexpenditure of €12,972 in the budget line "compensation to judges ad hoc" under section 11, "Judges".

In addition, the budget line "temporary assistance for meetings" under section 12, "Staff costs", shows an overexpenditure of €213,726, which is mainly due to the volume of translation work, in particular for case No. 23, having been higher than anticipated, and the fact that the budget was calculated on the basis of three cases, while the Tribunal dealt with four cases during the financial period.

The overexpenditures detailed above were absorbed by making transfers between appropriation sections under financial regulation 4.6, in accordance with the authorization given to the Registrar by the twenty-sixth Meeting of States Parties (see SPLOS/301).

Note 5
Contingent liability

A net contingent liability for staff benefits at 31 December 2016, amounting to €580,010, consists of the following:

Contingent liability	*Amount (in euros)*
Accumulated annual leave	274 180
Entitlement due to repatriation	305 830
Total	**580 010**

All contingent expenditures are charged against the budget appropriations in the period when actual payments are made. A record of all commitments for future periods, which are to constitute the first charges against relevant appropriations once these are approved by the Meeting of States Parties, is maintained in the financial statements. In accordance with the Staff Regulations and Rules of the Tribunal, the contingent liability reflected above is based on net remuneration.

In addition to the above-mentioned contingent liabilities, there is a liability for pension scheme costs for the elected members of the Tribunal. However, these expenditures are charged against the budget appropriations in the period when actual payments are made.

Note 6
Accounts receivable

Contributions receivable from States parties as at 31 December 2016 total €1,011,197, as detailed below. The amount overdue from assessed contributions for the financial period 2015-2016 totals €714,286.

The Tribunal has maintained its collection efforts, resulting in a reduction of overdue balances with respect to the financial periods 1996-1997 to 2013-2014. The amount of outstanding contributions for the financial periods 1996-1997 to 2013-2014 currently stands at €296,911, which is €1,182,138 less than the amount of €1,479,049 registered at 31 December 2014.

Year of assessment	*31 December 2016 amount (in euros)*	*31 December 2014 amount (in euros)*
1996/97	5 780	5 877
1998	1 410	1 499
1999	1 910	2 913
2000	6 049	7 855
2001	6 958	8 861
2002	7 192	9 101
2003	4 883	6 138
2004	4 135	5 455
2005	8 359	10 908
2006	10 277	13 432
2007	13 209	16 697
2008	13 993	17 463
2009	14 898	18 646
2010	20 143	24 524
2011	29 027	194 675
2012	35 510	260 470
2013	50 442	289 195
2014	62 736	585 339
2015	73 179	
2016	641 107	
Total	**1 011 197**	**1 479 049**

"Tax reimbursements due", amounting to €49,999, represent mainly refunds of value added tax.

Accounts receivable under other heads, amounting to €76,005, include educations grant advances (€39,774), salary advances (€5,219), amounts due from the German authorities (premises agreement) (€24,887) and some minor miscellaneous charges (€6,125).

Prepaid expenses in the amount of €26,180 are payments made towards the end of the year 2016 which relate to the 2017-2018 budget of the Tribunal. Accordingly, these expenses will be charged against the provision of the 2017-2018 budget in January 2017 and will be cleared from the receivables items.

Note 7
Liabilities

The liabilities of the Tribunal as at 31 December 2016 include:

(a) Contributions received in advance from States parties for the budget period 2017-2018 (€2,436,580);

(b) Savings from the 2005-2006 financial period, amounting to €1,603, which will be surrendered once the States parties concerned have contributed in full for the financial period 2005-2006 (SPLOS/180);

(c) Savings amounting to €4,373 from the 2007-2008 financial period, which will be surrendered once the States parties concerned have contributed in full for the financial period 2007-2008 (SPLOS/203 and SPLOS/217);

(d) Savings amounting to €4,597 from the 2009-2010 financial period, which will be surrendered once the States parties concerned have contributed in full for the financial period 2009-2010 (SPLOS/250);

(e) Savings amounting to €1,919 from the 2011-2012 financial period, which will be surrendered and deducted from the contributions of the States parties to the 2015 budget (SPLOS/275);

(f) Savings amounting to €1,837,669 from the 2013-2014 financial period that were surrendered and deducted from the contributions of the States parties to the year 2017 (SPLOS/275);

(g) Obligations arising from goods and services procured in the financial period 2015-2016 (€336,044);

(h) The remaining amount (€41) from the staff assessment special account;

(i) Accounts payable totalling €30,102.

All savings from prior years and withholdings from staff assessment will be surrendered once the contributions of the States parties concerned for the respective financial periods have been paid in full in accordance with the Financial Regulations of the Tribunal.

Note 8
Funds and reserves

The Working Capital Fund currently stands at €1,309,132. This corresponds to the equivalent euro amount of the appropriation decided by the eleventh, twelfth and twenty-fourth Meetings of States Parties (SPLOS/70, SPLOS/89 and SPLOS/275). As reported to the Meeting of States Parties in June 2006, this sum was converted from US$ 1,150,000 to €959,132 in November 2005. In addition, and in accordance with the decision of the twenty-fourth Meeting of States Parties, an amount of €350,000 was transferred, on an exceptional basis, to the Working Capital Fund to cover the cost of considering cases to the extent that the expenditure cannot be met from the case-related costs (SPLOS/275).

The prior-period gains and reserves stand at €1,837,521 and represent excess income over expenditure from previous financial periods, 2005-2006 to 2013-2014, in accordance with regulation 4 of the Financial Regulations of the Tribunal.

The initial reserve balance at 1 January 2015 was €2,055,392 (savings from the 2013-2014 budget). Following an interim audit which confirmed the final cash surplus in the amount of €1,837,669, the cash surplus was surrendered and deducted from the assessed contributions of the States Parties for 2017 (see SPLOS/301).

Appendix II

Financial report for the period from 1 January 2015 to 31 December 2016

Introduction

1. The Registrar of the International Tribunal for the Law of the Sea submits herewith the financial report for the financial period 1 January 2015 to 31 December 2016, being the fourteenth financial period and report.

2. The financial report includes: the statement of income, expenditure and changes in reserves and fund balances for the period from 1 January 2015 to 31 December 2016; the statement of assets, liabilities, reserves and fund balances as of 31 December 2016; the statement of cash flows for the biennium 2015-2016; the performance report for the period 2015-2016; and the status of contributions to the International Tribunal for the Law of the Sea for the period 1996-2016. The statement of income, expenditures and changes in reserves and fund balances, the statement of assets, liabilities, reserves and fund balances and the statement of cash flows are provided in order to facilitate the review of the report by States parties. The statements are in compliance with the Tribunal's Financial Regulations and Rules and are in line with formats agreed for the harmonization of the accounts of agencies and organizations in the United Nations common system. The financial report shows the financial results of the Tribunal's activities in 2015 and 2016. Elements of particular importance are summarized in the following paragraphs.

3. The cash balance of €6,829,040 as at 31 December 2016 represents an increase compared with the cash balance at the end of 2014, which stood at €5,656,054. This increase resulted from a decrease in the amount of contributions receivable on the one hand and an increase in the amount of contributions paid in advance on the other hand.

Income

4. Income in the financial period 2015-2016 included assessed contributions amounting to €18,814,162 from 168 States Parties (including the European Union). Of the total amount of contributions for the financial period 2015-2016, €714,286 is outstanding as at 31 December 2016. The balance of unpaid contributions with respect to the overall budget of the Tribunal (1996-1997 to 2015-2016) amounted to €1,011,197 on that date. In addition, other net income from various sources, such as interest income, miscellaneous income and the cancellation of prior-period obligations after adjustments for exchange rate losses, totalled €41,397.

5. The Tribunal has maintained its efforts to collect outstanding contributions, resulting in a reduction of overdue balances with respect to the previous budgets of the Tribunal. However, by the end of 2016, the following amounts were still pending: €5,780 for 1996/97; €1,410 for 1998; €1,910 for 1999; €6,049 for 2000; €6,958 for 2001; €7,192 for 2002; €4,883 for 2003; €4,135 for 2004; €8,359 for 2005; €10,277 for 2006; €13,209 for 2007; €13,993 for 2008; €14,898 for 2009; €20,143 for 2010; €29,027 for 2011; €35,510 for 2012 €50,442 for 2013 and €62,736 for 2014. The balance of unpaid contributions with respect to the overall budgets of the Tribunal (1996-1997 to 2015-2016) therefore amounts to €1,011,197.

No provision for doubtful accounts receivable for the overdue balances is envisaged under the Tribunal's Financial Regulations and Rules.

Expenditure

6. The expenditures of the Tribunal for the financial period 2015-2016 totalled €18,662,719, which corresponds to 99.18 per cent of the budget for the period (€18,817,600). This performance can be explained by the optimum use of resources in a period of increased judicial workload. It may be noted that, during the financial period 2015-2016, the Tribunal continued its consideration of case No. 21 and delivered its advisory opinion in that case on 2 April 2015. On 27 February 2015, Côte d'Ivoire submitted to the special chamber a request for the prescription of provisional measures in case No. 23 in accordance with article 290, paragraph 1, of the Convention. The special chamber delivered its order on 25 April 2015. On 21 July 2015, Italy submitted to the Tribunal a request for the prescription of provisional measures under article 290, paragraph 5, of the Convention in respect of a dispute with India concerning the Enrica Lexie incident. The case was entered in the Tribunal's list of cases as case No. 24. The Tribunal issued its order in the case on 24 August 2015. On 17 December 2015, Panama filed with the Tribunal an application in a dispute with Italy regarding the arrest and detention of the M/V *Norstar*, a Panamanian-flagged vessel. The case was entered in the Tribunal's list of cases as case No. 25. On 11 March 2016, Italy filed with the Tribunal preliminary objections to the jurisdiction of the Tribunal and the admissibility of Panama's claim. The public hearing on Italy's preliminary objections were held from 20 to 22 September 2016, and the Tribunal delivered its judgment on 4 November 2016.

7. Under section 1, "Judges", savings amounting to €84,547 were made. The savings were achieved mainly in the budget line "special allowances" owing to the decrease of the daily subsistence allowance for Hamburg from €322 to €277 as at 1 November 2014, while the budget was based on the rate of €322 in effect in March 2014.

8. Under section 2, "Staff costs", savings amounting to €197,077 were made. The savings were achieved mainly in the budget line "established posts" owing to the vacant positions in the Registry during the 2015-2016 financial period.

9. Under Part C, "Case-related costs", section 11, "Judges", savings amounted to €278,156. These savings were made in the budget lines "special allowances" and "travel to meetings, including judges ad hoc".

10. The savings under section 11 of Part C resulted largely from the fact that case No. 23 was submitted to a special chamber of the Tribunal consisting of five members, while the budget appropriations were based on an urgent case submitted to the full Tribunal. The savings were also due to the reduction of the daily subsistence allowance for Hamburg (see para. 7 above).

11. Savings under the budget line "travel to meetings, including judges ad hoc" were due to the fact that case No. 23 was dealt with by a special chamber of five members not by the full Tribunal. Savings also resulted from the scheduling of judicial meetings of the Tribunal in conjunction with the regular meetings of the Tribunal on non-judicial matters.

12. The performance rate of the 2015-2016 budget stands at 99.18 per cent.

Surrender of savings

13. In accordance with the decision of the Meeting of States Parties in June 2016 (see SPLOS/301), an amount of €1,837,669 corresponding to savings relating to the 2013-2014 financial period was surrendered and deducted from the assessed contributions of the States Parties for 2017, in accordance with regulation 4 of the Financial Regulations of the Tribunal.

Special accounts

14. The Nippon Foundation grant was established in March 2007, following the signature of the Nippon Foundation grant agreement. Pursuant to the Agreement, the Foundation contributed an amount of €200,000 to the International Tribunal for the Law of the Sea capacity-building and training programme on dispute settlement under the United Nations Convention on the Law of the Sea. In accordance with regulation 6.5 of the Financial Regulations of the Tribunal, a trust fund was subsequently established and a special euro bank account named "Nippon Foundation grant" was set up with Deutsche Bank.

15. The Nippon Foundation made a second contribution to the Grant in the amount of €200,000 in March 2008, a third in the same amount in March 2009 and seven more contributions in the amount of €230,000 each in March 2010, March 2011, March 2012, March 2013, March 2014, March 2015 and March 2016. At the beginning of the financial period 2015-2016, the total reserves of the trust fund amounted to €267,224. At 31 December 2016 the balance of total reserves was €350,449. The audited financial statement for the Nippon Foundation grant will be circulated at the Meeting of States Parties in June 2017.

16. Pursuant to regulation 6.5 of its Financial Regulations, the Tribunal established a trust fund for the law of the sea in October 2009. The Trust Fund is intended to promote the advancement of human resources in developing countries in the law of the sea and maritime affairs in general. The first contribution to the Trust Fund, in the amount of €25,000, was made in 2010 by Korwind, a Hamburg-based Korean company working in the field of renewable energy. Subsequent contributions from the Korea Maritime Institute were made in October 2011 (€15,000), December 2012 (€15,000), October 2013 (€15,000), August 2014 (€20,000) and December 2014 (€15,000), July 2015 (€20,000), October 2015 (€11,000), December 2015 (€15,000) and December 2016 (€15,000). Since July 2012, the Trust Fund has been used to support the Tribunal's internship programme and provide financial assistance to interns from developing countries. The Trust Fund was also used to finance a regional workshop held in Bali, Indonesia, in August 2015. As at 31 December 2016, the balance of total reserves stood at €31,915. The audited financial statement for the Trust Fund will be circulated at the Meeting of States Parties in June 2017.

17. Following the signing of a memorandum of understanding between the Tribunal and the China Institute of International Studies (CIIS) on 3 May 2012, a trust fund — designated as the CIIS grant — was set up to support the Tribunal's internship programme, the Summer Academy of the International Foundation for the Law of the Sea and other projects including regional workshops. As at 31 December

2016, the balance of total reserves was €15,542. The audited financial statement for the CIIS Grant will be circulated at the Meeting of States Parties in June 2017.

18. The "Trust Fund for the twentieth anniversary of the Tribunal" was set up as a fund to provide financial assistance for the organization of events and activities on the occasion of the twentieth anniversary of the Tribunal in 2016. Contributions from the Korea Maritime Institute in the amount of €25,000 on 24 May 2016 and in the amount of €25,000 on 4 July 2016, from the Government of Japan in the amount of €109,443 on 28 July 2016 and from the Government of Germany in the amount of €7,000 on 6 December 2016 were received. As at 31 December 2016, the balance of total reserves was €28,047. The audited financial statement for the Trust Fund will be circulated at the Meeting of States Parties in June 2017.

Institutional arrangements

19. The financial records of the Tribunal have been maintained in the network version of the Sun computerized accounting system.

(*Signed*) Philippe **Gautier**
Registrar

Appendix III

Budget performance report for the period 2015-2016 as at 31 December 2016

(In euros)

	Part section	Objects of expenditure	2015-2016 approved budget	2015 expenditure (as at 31/12/2015)	2016 disbursement (as at 31/12/2016)	2015-2016 total expenditure (as at 31/12/2016)	Balance	Total expenditure as a percentage of approved budget
1	A	**Recurrent expenditure**						
2	**1**	**Judges**	4 246 100	2 067 246	2 094 307	4 161 553	**84 547**	
3	1.1	Annual allowances	3 008 300	1 544 732	1 531 740	3 076 472	(68 172)	102.27
4	1.2	Special allowances	917 900	381 743	419 824	801 567	116 333	87.33
5	1.3	Travel to session	274 600	132 906	134 368	267 274	7 326	97.33
6	1.4	Common costs	45 300	7 865	8 375	16 240	29 060	35.85
7	**2**	**Judges' pension scheme**	**967 800**	**614 392**	**648 673**	**1 263 065**	**(295 265)**	
8	2.1	Pension in payment	967 800	614 392	648 673	1 263 065	(295 265)	130.51
9	**3**	**Staff costs**	**7 533 900**	**3 518 622**	**3 818 201**	**7 336 823**	**197 077**	
10	3.1	Established posts	5 085 200	2 402 424	2 496 441	4 898 865	186 335	96.34
11	3.2	Common staff costs	2 045 000	945 222	1 098 205	2 043 427	1 573	99.92
12	3.3	Overtime	25 000	11 436	13 315	24 751	249	99.00
13	3.4	Temporary assistance for meetings	197 900	97 482	98 988	196 470	1 430	99.28
14	3.5	General temporary assistance	107 900	35 293	69 493	104 786	3 114	97.11
15	3.6	Training	72 900	26 765	41 759	68 524	4 376	94.00
16	**4**	**Representation allowance**	**11 100**	**6 867**	**6 850**	**13 717**	**(2 617)**	**123.58**
17	**5**	**Official travel**	**180 300**	**78 908**	**89 074**	**167 982**	**12 318**	**93.17**
18	**6**	**Hospitality**	**14 300**	**8 329**	**5 706**	**14 035**	**265**	**98.15**
19	**7**	**Operating expenditures**	**2 888 000**	**1 262 164**	**1 537 538**	**2 799 702**	**88 298**	
20	7.1	Maintenance of premises (including security)	2 159 000	1 003 439	1 153 144	2 156 583	2 417	99.89
21	7.2	Rental and maintenance of equipment	355 600	135 303	191 217	326 520	29 080	91.82
22	7.3	Communications	189 200	63 283	78 829	142 112	47 088	75.11
23	7.4	Miscellaneous services and charges (including bank charges)	41 000	14 709	16 630	31 339	9 661	76 44
24	7.5	Supplies and materials	122 400	45 430	76 918	122 348	52	99.96
25	7.6	Special services (external audit)	20 800	0	20 800	20 800	0	100.00
26	**8**	**Library and related costs**	**320 000**	**136 866**	**182 052**	**318 918**	**1 082**	

	Part section	Objects of expenditure	2015-2016 approved budget	2015 expenditure (as at 31/12/2015)	2016 disbursement (as at 31/12/2016)	2015-2016 total expenditure (as at 31/12/2016)	Balance	Total expenditure as a percentage of approved budget
27	8.1	Library — procurement of books and publications	242 000	111 681	129 926	241 607	393	99.84
28	8.2	External printing and binding	78 000	25 185	52 126	77 311	689	99.12
29								
30	**B**	**Non-recurrent expenditure**						
31	**9**	**Furniture and equipment**						
32	9.1	Purchase of equipment	154 800	22 066	129 069	151 135	3 665	97.63
33	**10**	**Alteration to premises**	**0**	**0**	**0**	**0**	**0**	0
34								
35	**C**	**Case-related costs**	**2 501 300**	**1 723 107**	**712 685**	**2 435 792**	**65 508**	
36	**11**	**Judges**	**1 889 700**	**1 092 300**	**519 244**	**1 611 544**	**278 156**	
37	11.1	Special allowances	1 468 500	855 306	421 197	1 276 503	191 997	86.93
38	11.2	Compensation to judges ad hoc	110 800	67 755	56 017	123 772	(12 972)	111.71
39	11.3	Travel to meetings including judges ad hoc	310 400	169 239	42 030	211 269	99 131	68.06
40	**12**	**Staff costs**	**611 600**	**630 807**	**193 441**	**824 248**	**(212 648)**	
41	12.1	Temporary assistance for meetings	577 800	603 560	187 966	791 526	(213 726)	136.99
42	12.2	Overtime	33 800	27 247	5 475	32 722	1 078	96.81
43								
44		**Total**	**18 817 600**	**9 438 155**	**9 224 155**	**18 662 719**	**154 881**	**99.18**

Appendix IV

Status of the 1996-2016 contributions to the International Tribunal for the Law of the Sea

(In euros)

31 December 2016

		Contributions assessed					Contributions outstanding			
States parties	*2016 scale of assessments (percentage)*	*Previous financial periods (1996-2012)*	*Last financial period 2013-2014*	*Current financial period[a] 2015-2016*	*Total[b]*	*Collections*	*Previous financial periods[b] (1996-2012)*	*Last financial period (2013-2014)*	*Current financial period (2015-2016)*	*Total outstanding[c]*
Albania	0.0135	8 457	2 806	2 512	13 775	12 524	0	0	1 251	1 251
Algeria	0.1846	143 570	37 192	34 421	215 183	215 187	0	0	0	(4)
Angola	0.0135	12 855	2 806	2 512	18 173	15 729	0	0	2 443	2 443
Antigua and Barbuda	0.0100	10 552	2 104	1 865	14 521	15 385	0	0	0	(864)
Argentina	0.5821	1 069 637	101 095	108 538	1 279 270	1 279 285	0	0	0	(15)
Armenia	0.0100	8 065	2 104	1 865	12 034	12 898	0	0	0	(864)
Australia	2.7948	2 552 202	562 383	521 082	3 635 667	3 916 150	0	0	0	(280 483)
Austria	1.[illegible]754	1 360 654	231 267	200 493	1 792 414	1 873 808	0	0	0	(81 394)
Azerbaijan	0.0539	0	0	2 502	2 502	0	0	0	2 502	2 502
Bahamas	0.0229	23 121	4 909	4 271	32 301	33 847	0	0	0	(1 547)
Bahrain	0.0526	42 204	10 943	9 799	62 946	62 947	0	0	0	(1)
Bangladesh	0.0135	11 945	2 806	2 512	17 263	16 002	0	0	1 260	1 260
Barbados	0.0108	13 578	2 245	2 010	17 833	17 930	0	0	0	(98)
Belarus	0.0755	21 196	13 770	14 070	49 036	47 845	0	0	1 191	1 191
Belgium	1.3449	1 529 224	290 716	250 742	2 070 682	2 070 741	0	0	0	(59)
Belize	0.0100	10 417	2 104	1 865	14 386	15 250	0	0	0	(864)
Benin	0.0100	9 909	2 104	1 865	13 878	4 662	5 248	2 104	1 865	9 217
Bolivia (Plurinational State of)	0.0121	12 197	2 328	2 261	16 786	15 660	0	0	1 126	1 126
Bosnia and Herzegovina	0.0229	12 742	4 354	4 271	21 367	21 368	0	0	0	(1)
Botswana	0.0229	19 436	4 909	4 271	28 616	17 415	2 021	4 909	4 271	11 201
Brazil	3.9538	2 267 196	639 671	737 152	3 644 019	3 287 499	0	0	356 520	356 520
Brunei Darussalam	0.0350	41 901	7 572	6 533	56 006	59 435	0	0	0	(3 429)

States parties	2016 scale of assessments (percentage)	Contributions assessed: Previous financial periods (1996-2012)	Last financial period 2013-2014	Current financial period[a] 2015-2016	Total[b]	Collections	Contributions outstanding: Previous financial periods[c] (1996-2012)	Last financial period (2013-2014)	Current financial period (2015-2016)	Total outstanding[d]
Bulgaria	0.0633	37 636	11 939	11 809	61 384	61 386	0	0	0	(2)
Burkina Faso	0.0100	7 035	2 104	1 865	11 004	10 721	0	0	283	283
Cameroon	0.0162	15 236	3 228	3 015	21 479	18 349	0	114	3 015	3 129
Canada	4.0211	3 057 574	868 233	749 714	4 675 521	4 675 698	0	0	0	(177)
Cape Verde	0.0100	10 486	2 104	1 865	14 455	11 590	0	1 000	1 865	2 865
Chad	0.0100	3 324	2 104	1 865	7 293	5 834	0	0	1 459	1 459
Chile	0.4501	274 939	80 119	83 916	438 974	438 985	0	0	0	(11)
China	6.9373	3 113 691	1 172 647	1 293 408	5 584 746	6 598 874	0	0	0	(1 014 128)
Comoros	0.0100	10 417	2 104	1 865	14 386	94	10 323	2 104	1 865	14 292
Congo	0.0100	4 184	2 104	1 865	8 153	5 288	0	1 000	1 865	2 865
Cook Islands[e]	0.0100	10 417	2 104	1 865	14 386	14 343	0	0	43	43
Costa Rica	0.0512	39 859	10 107	9 547	59 513	60 350	0	0	0	(836)
Côte d'Ivoire	0.0148	14 599	2 948	2 764	20 311	20 310	0	0	0	(0)
Croatia	0.1698	81 398	31 330	31 657	144 385	144 389	0	0	0	(5)
Cuba	0.0930	70 262	19 638	17 336	107 236	108 601	0	0	0	(1 366)
Cyprus	0.0633	60 687	13 049	11 809	85 545	90 472	0	0	0	(4 927)
Czech Republic	0.5202	346 022	103 174	96 980	546 176	546 198	0	0	0	(23)
Democratic Republic of the Congo	0.0100	11 376	2 104	1 865	15 345	94	11 282	2 104	1 865	15 251
Denmark	0.9096	709 120	197 865	169 591	1 076 576	992 112	0	0	84 464	84 464
Djibouti	0.0100	10 417	2 104	1 865	14 386	4 281	6 136	2 104	1 865	10 105
Dominica	0.0100	10 417	2 104	1 865	14 386	2 189	8 228	2 104	1 865	12 197
Dominican Republic	0.0606	15 299	12 210	11 306	38 815	1 364	13 935	12 210	11 306	37 451
Ecuador	0.0593	1 333	11 791	11 054	24 178	24 172	0	0	6	6
Egypt	0.1806	137 900	32 049	33 667	203 616	203 622	0	0	0	(7)
Equatorial Guinea	0.0135	10 000	2 528	2 512	15 040	11 758	0	770	2 512	3 282
Estonia	0.0539	19 572	11 224	10 050	40 846	45 226	0	0	0	(4 381)
European Union[f]	n.a.	991 544	192 000	170 730	1 354 274	1 354 274	0	0	0	0
Fiji	0.0100	10 825	2 104	1 865	14 794	14 458	0	0	336	336

States parties	2016 scale of assessments (percentage)	Contributions assessed				Collections	Contributions outstanding			
		Previous financial periods (1996-2012)	Last financial period 2013-2014	Current financial period[a] 2015-2016	Total[b]		Previous financial periods[b] (1996-2012)	Last financial period (2013-2014)	Current financial period (2015-2016)	Total outstanding[c]
Finland	0.6994	839 457	152 150	130 396	1 122 003	1 173 062	0	0	0	(51 059)
France	7.5369	9 584 297	1 642 900	1 405 212	12 632 409	12 632 740	0	0	0	(331)
Gabon	0.0270	17 026	4 780	5 025	26 831	24 949	0	0	1 881	1 881
Gambia	0.0100	10 417	2 104	1 865	14 386	458	9 959	2 104	1 865	13 928
Georgia	0.0100	23 320	2 104	1 865	27 289	27 289	0	0	0	0
Germany	9.6230	13 605 447	2 125 409	1 794 138	17 524 994	17 525 417	0	0	0	(424)
Ghana	0.0189	11 312	3 038	3 517	17 867	16 169	0	0	1 699	1 699
Greece	0.8597	812 867	186 373	160 294	1 159 534	1 159 572	0	0	0	(38)
Grenada	0.0100	10 417	2 104	1 865	14 386	7 921	2 496	2 104	1 865	6 465
Guatemala	0.0364	40 507	7 714	6 784	55 005	52 051	0	0	2 954	2 954
Guinea	0.0100	10 690	2 104	1 865	14 659	94	10 596	2 104	1 865	14 565
Guinea-Bissau	0.0100	10 417	2 104	1 865	14 386	94	10 323	2 104	1 865	14 292
Guyana	0.0100	10 417	2 104	1 865	14 386	15 095	0	0	0	(710)
Haiti	0.0100	10 552	2 104	1 865	14 521	14 519	0	0	2	2
Honduras	0.0108	10 870	2 245	2 010	15 125	14 159	0	0	966	966
Hungary	0.3585	228 635	78 107	66 831	373 573	389 489	0	0	0	(15 917)
Iceland	0.0364	53 907	9 657	6 784	70 348	72 490	0	0	0	(2 141)
India	0.8975	621 974	168 557	167 329	957 860	1 047 076	0	0	0	(89 215)
Indonesia	0.4663	272 740	82 098	86 931	441 769	441 790	0	0	0	(21)
Iraq	0.0916	65 524	12 419	17 085	95 028	86 520	0	0	8 509	8 509
Ireland	0.5633	546 662	128 389	105 020	780 071	816 143	0	0	0	(36 072)
Italy	5.9940	7 772 701	1 324 536	1 117 537	10 214 774	10 214 981	0	0	0	(207)
Jamaica	0.0148	13 947	3 503	2 764	20 214	20 213	0	0	0	0
Japan	14.5982	24 295 290	3 275 146	2 721 734	30 292 170	30 292 812	0	0	0	(642)
Jordan	0.0296	15 959	5 063	5 527	26 549	28 929	0	0	0	(2 379)
Kenya	0.0175	14 138	3 509	3 266	20 913	20 986	0	0	0	(73)
Kiribati	0.0100	8 065	2 104	1 865	12 034	12 034	0	0	0	0
Kuwait	0.3679	272 118	75 215	68 590	415 923	470 083	0	0	0	(34 160)

States parties	2016 scale of assessments (percentage)	Contributions assessed: Previous financial periods (1996-2012)	Last financial period 2013-2014	Current financial period[a] 2015-2016	Total[a]	Collections	Contributions outstanding: Previous financial periods[b] (1996-2012)	Last financial period (2013-2014)	Current financial period (2015-2016)	Total outstanding[c]
Lao People's Democratic Republic	0.0100	9 645	2 104	1 865	13 614	13 614	0	0	0	0
Latvia	0.0633	21 407	11 939	11 809	45 155	51 164	0	0	0	(6 009)
Lebanon	0.0566	36 528	10 536	10 552	57 616	57 619	0	0	0	(3)
Lesotho	0.0100	5 251	2 104	1 865	9 220	0	5 251	2 104	1 865	9 220
Liberia	0.0100	3 971	2 104	1 865	7 940	1 063	2 908	2 104	1 865	6 877
Lithuania	0.0984	37 634	19 373	18 340	75 347	75 347	0	0	0	(0)
Luxembourg	0.1092	102 123	23 977	20 351	146 451	146 455	0	0	0	(4)
Madagascar	0.0100	8 758	2 104	1 865	12 727	11 823	0	0	904	904
Malawi	0.0100	2 239	2 104	1 865	6 208	0	2 239	2 104	1 865	6 208
Malaysia	0.3787	311 823	74 961	70 600	457 384	496 248	0	0	0	(38 864)
Maldives	0.0100	9 115	2 104	1 865	13 084	10 219	0	1 000	1 865	2 865
Mali	0.0100	10 616	2 104	1 865	14 585	14 532	0	0	53	53
Malta	0.0216	23 073	4 628	4 020	31 721	33 574	0	0	0	(1 853)
Marshall Islands	0.0100	10 417	2 104	1 865	14 386	7 301	3 115	2 104	1 865	7 084
Mauritania	0.0100	10 417	2 104	1 865	14 386	7 158	3 259	2 104	1 865	7 228
Mauritius	0.0175	16 099	3 370	3 266	22 735	24 133	0	0	0	(1 398)
Mexico	2.4822	2 613 895	588 178	462 793	3 664 866	3 664 973	0	0	0	(109)
Micronesia (Federated States of)	0.0100	10 417	2 104	1 865	14 386	15 295	0	0	0	(909)
Monaco	0.0162	10 759	2 754	3 015	16 528	16 528	0	0	0	0
Mongolia	0.0100	10 552	2 104	1 865	14 521	14 689	0	0	0	(168)
Montenegro	0.0100	5 660	2 104	1 865	9 629	9 629	0	0	0	0
Morocco	0.0835	34 057	16 841	15 577	66 475	66 479	0	0	0	(4)
Mozambique	0.0100	10 219	2 104	1 865	14 188	11 444	0	880	1 865	2 745
Myanmar	0.0135	13 248	2 470	2 512	18 230	19 428	0	0	0	(1 198)
Namibia	0.0135	11 691	2 667	2 512	16 870	15 619	0	0	1 251	1 251
Nauru	0.0100	10 417	2 104	1 865	14 386	479	9 938	2 104	1 865	13 907
Nepal	0.0100	9 866	2 104	1 865	13 835	10 089	0	1 881	1 865	3 746
Netherlands	2.2289	2 669 107	491 992	415 559	3 576 658	3 576 756	0	0	0	(98)

States parties	2016 scale of assessments (percentage)	Contributions assessed: Previous financial periods (1996-2012)	Last financial period 2013-2014	Current financial period[a] 2015-2016	Total[a]	Collections	Contributions outstanding: Previous financial periods[b] (1996-2012)	Last financial period (2013-2014)	Current financial period (2015-2016)	Total outstanding[c]
New Zealand	0.3409	368 544	73 765	63 565	505 874	537 237	0	0	0	(31 363)
Nicaragua	0.0100	9 385	2 104	1 865	13 354	14 287	0	0	0	(933)
Niger	0.0100	0	1 578	1 865	3 443	0	0	1 578	1 865	3 443
Nigeria	0.1213	85 265	23 588	22 612	131 465	108 822	0	30	22 612	22 642
Niue[d]	0.0100	5 660	2 104	1 865	9 629	8 700	0	0	929	929
Norway	1.1468	1 085 973	241 560	213 809	1 541 342	1 541 392	0	0	0	(50)
Oman	0.1375	102 367	26 400	25 627	154 394	168 024	0	0	0	(13 631)
Pakistan	0.1145	93 526	23 434	21 356	138 316	95 777	0	21 183	21 356	42 539
Palau	0.0100	10 310	2 104	1 865	14 279	11 263	0	1 151	1 865	3 016
Panama	0.0350	28 671	6 740	6 533	41 944	39 875	0	0	2 069	2 069
Papua New Guinea	0.0100	11 039	2 104	1 865	15 008	14 131	0	0	877	877
Paraguay	0.0135	16 861	2 470	2 512	21 843	11 512	5 349	2 470	2 512	10 331
Philippines	0.2075	131 739	34 330	38 692	204 761	204 769	0	0	0	(9)
Poland	1.2411	670 684	245 521	231 397	1 147 602	1 244 805	0	0	0	(97 203)
Portugal	0.6387	696 716	138 136	119 090	953 942	997 198	0	0	0	(43 257)
Qatar	0.2816	91 766	48 375	52 510	192 651	192 664	0	0	0	(13)
Republic of Korea	2.6870	2 684 392	596 413	500 982	3 781 787	3 781 907	0	0	0	(118)
Republic of Moldova	0.0100	5 464	2 104	1 865	9 433	10 297	0	0	0	(864)
Romania	0.3045	131 247	56 615	56 781	244 643	265 660	0	0	0	(21 016)
Russian Federation	3.2854	2 133 902	568 076	612 535	3 314 513	3 700 273	0	0	0	(385 760)
Saint Kitts and Nevis	0.0100	10 417	2 104	1 865	14 386	13 729	0	0	657	657
Saint Lucia	0.0100	10 417	2 104	1 865	14 386	14 371	0	0	15	15
Saint Vincent and the Grenadines	0.0100	10 417	2 104	1 865	14 386	11 632	0	890	1 865	2 755
Samoa	0.0100	10 417	2 104	1 865	14 386	15 250	0	0	0	(864)
Sao Tome and Principe	0.0100	10 417	2 104	1 865	14 386	94	10 323	2 104	1 865	14 292
Saudi Arabia	1.1643	1 056 553	237 714	217 076	1 511 343	1 501 540	0	0	9 803	9 803
Senegal	0.0100	11 099	2 104	1 865	15 068	15 068	0	0	0	(0)
Serbia	0.0539	45 751	10 807	10 050	66 608	66 608	0	0	0	(0)

States parties	2016 scale of assessments (percentage)	Contributions assessed: Previous financial periods (1996-2012)	Last financial period 2013-2014	Current financial period[a] 2015-2016	Total[a]	Collections	Contributions outstanding: Previous financial periods[b] (1996-2012)	Last financial period (2013-2014)	Current financial period (2015-2016)	Total outstanding[c]
Seychelles	0.0100	10 552	2 104	1 865	14 521	14 521	0	0	0	(0)
Sierra Leone	0.0100	10 417	2 104	1 865	14 386	14 386	0	0	0	0
Singapore	0.5175	483 311	100 948	96 478	680 737	734 959	0	0	0	(54 221)
Slovakia	0.2304	103 548	43 957	42 962	190 467	209 198	0	0	0	(18 731)
Slovenia	0.1348	128 046	28 476	25 124	181 646	181 653	0	0	0	(6)
Solomon Islands	0.0100	10 022	2 104	1 865	13 991	8 333	1 689	2 104	1 865	5 658
Somalia	0.0100	10 417	2 104	1 865	14 386	94	10 323	2 104	1 865	14 292
South Africa	0.5013	496 763	106 184	93 463	696 410	738 489	0	0	0	(42 079)
Spain	4.0063	4 117 103	862 510	746 951	5 726 564	5 651 938	0	0	74 627	74 627
Sri Lanka	0.0337	23 965	6 183	6 282	36 430	21 856	2 109	6 183	6 282	14 574
State of Palestine	0.0100	0	0	1 865	1 865	0	0	0	1 865	1 865
Sudan	0.0135	13 230	2 806	2 512	18 548	1 060	12 170	2 806	2 512	17 488
Suriname	0.0100	9 944	2 104	1 865	13 913	8 320	1 624	2 104	1 865	5 593
Swaziland	0.0100	253	2 104	1 865	4 222	0	253	2 104	1 865	4 222
Sweden	1.2937	1 614 305	283 801	241 194	2 139 300	2 139 300	0	0	0	0
Switzerland	1.4109	543 445	305 298	263 053	1 111 796	1 111 859	0	0	0	(63)
Thailand	0.3221	48 789	62 898	60 047	171 725	207 267	0	0	0	(35 542)
The former Yugoslav Republic of Macedonia	0.0108	10 891	2 187	2 010	15 088	13 126	0	0	1 962	1 962
Timor-Leste	0.0100	0	2 104	1 865	3 969	4 105	0	0	0	(136)
Togo	0.0100	10 484	2 104	1 865	14 453	14 978	0	0	0	(524)
Tonga	0.0100	10 417	2 104	1 865	14 386	15 224	0	0	0	(838)
Trinidad and Tobago	0.0593	39 009	12 346	11 054	62 409	57 108	0	0	5 301	5 301
Tunisia	0.0485	46 313	9 269	9 045	64 627	64 629	0	0	0	(2)
Tuvalu	0.0100	8 065	2 104	1 865	12 034	7 449	616	2 104	1 865	4 585
Uganda	0.0100	10 825	2 104	1 865	14 794	11 005	0	1 924	1 865	3 789
Ukraine	0.1334	103 469	26 114	24 873	154 456	154 461	0	0	0	(5)

States parties	2016 scale of assessments (percentage)	Contributions assessed: Previous financial periods (1996-2012)	Last financial period 2013-2014	Current financial period[d] 2015-2016	Total[a]	Collections	Contributions outstanding: Previous financial periods[b] (1996-2012)	Last financial period (2013-2014)	Current financial period (2015-2016)	Total outstanding[c]
United Kingdom of Great Britain and Northern Ireland	6.9790	8 881 319	1 650 931	1 301 197	11 833 447	11 833 754	0	0	0	(307)
United Republic of Tanzania	0.0121	10 870	2 386	2 261	15 517	15 544	0	0	0	(27)
Uruguay	0.0701	66 153	11 122	13 064	90 339	83 833	0	0	6 506	6 506
Vanuatu	0.0100	9 558	2 104	1 865	13 527	15 794	0	0	0	(2 267)
Viet Nam	0.0566	30 191	10 536	10 552	51 279	58 536	0	0	0	(7 257)
Yemen	0.0135	12 856	2 806	2 512	18 174	10 946	1 909	2 806	2 512	7 227
Zambia	0.0100	10 616	2 104	1 865	14 585	94	10 522	2 104	1 865	14 491
Zimbabwe	0.0100	12 221	2 104	1 865	16 190	2 632	9 589	2 104	1 865	13 558
Total	**100.05**	**109 916 661**	**21 239 120**	**18 817 600**	**149 973 352**	**151 398 730**	**183 734**	**113 177**	**714 286**	**1 011 197**

Abbreviation: n.a., not applicable.

Note: Nine States parties have not paid any contributions towards the budgets of the Tribunal.

[a] Total subject to rounding differences.

[b] A total of 12 States parties have not contributed in full towards the period 1996-2004. The amount outstanding for that period is €38,317.

[c] Figures in brackets indicate credits being carried forward towards 2017 (€2,436,580).

[d] Not a member of the United Nations; assessed with the floor rate.

[e] Agreed contributions in accordance with the Financial Regulations of the Tribunal. For the period 2015-2016, see SPLOS/275.

Appendix V

Performance reports for grants given to the International Tribunal for the Law of the Sea

(In euros)

A. Nippon Foundation grant for the period from 1 January 2015 to 31 December 2016

	2015-2016
Income	
Grants from Nippon Foundation	460 000
Interest income	0
Gains and losses on exchange	54
Miscellaneous income	0
Net income	**460 054**
Expenditures	
Participants (subsistence allowance, travel and insurance)	243 567
Lecturers (subsistence allowance and travel)	75 531
General administrative expenses	55 991
Non-refundable taxes	1 740
Obligations	0
Total expenditures	**376 829**
Excess of income over expenditure	**83 225**
Assets	
Cash and term deposits	336 103
Accounts receivable	4 958
Prepaid expenses	10 638
Total assets	**351 699**
Liabilities	
Accounts payable	1 250
Net assets	**350 449**
Reserves	
Prior-period reserve	267 224
Excess of income over expenditure	83 225
Total reserves	**350 449**

B. Trust Fund for the Law of the Sea for the period from 1 January 2015 to 31 December 2016

	2015-2016
Income	
Contributions	61 000
Interest income	0
Gain on exchange	(77)
Net income	**60 923**
Expenditures	
Internship programme	46 970
Workshops	29 350
Bank charges	877
Total expenditures	**77 197**
Excess of income over expenditure	**(16 274)**
Assets	
Cash and term deposits	31 915
Accounts receivable	0
Total assets	**31 915**
Reserves	
Prior-period reserve	48 189
Excess of income over expenditure	(16 274)
Total reserves	**31 915**

C. China Institute of International Studies grant for the period from 1 January 2015 to 31 December 2016

	2015-2016
Income	
Contributions	0
Interest income	0
Net income	**0**
Expenditures	
Internship programme	0
International Foundation for the Law of the Sea, summer academy	0
Bank charges	336.50
Non-refundable taxes	0
Total expenditures	**336.50**
Excess of income over expenditure	**(336.50)**
Assets	
Cash and term deposits	15 541.98
Accounts receivable	0 00
Total assets	**15 541.98**
Liabilities	
Accounts payable	0
Net assets	**15 541.98**
Reserves	
Prior-period reserve	15 878.48
Excess of income over expenditure	(336.50)
Total reserves	**15 541.98**

D. Trust Fund for the twentieth anniversary of the Tribunal for the period from 1 January 2015 to 31 December 2016

Income	
Contributions, Korea Maritime Institute	50 000
Contributions, Japan	109 443
Contributions, Germany	7 000
Gain on exchange	18.50
Total	**166 461.50**
Expenditures	
Interpretation	2 069
Other temporary assistance	9 357.84
Travel of Tribunal staff to the Meeting of States Parties	3 618.49
Speakers, travel and accommodation	44 564.80
Brochures, digest guides	40 014
Courier services	4 077.44
Rental of cars and office equipment	3 598.92
Office supplies and invitations	6 440.42
Hospitality	24 390.31
Bank charges	178.50
Non-refundable taxes	105.26
Total	**138 414.98**
Excess of income over expenditure	**28 046.52**
Assets	
Cash and term deposits	24 851.74
Accounts receivable	10 194.78
Prepaid expenses	0
Total assets	**35 046.52**
Liabilities	
Obligations	7 000
Net assets	**28 046.52**
Reserves	
Prior-period reserve	0
Excess of income over expenditure	28 046.52
Total reserves	**28 046.52**

Appendix VI

Audit procedures and results of additional audit scope for the period from 1 January 2015 to 31 December 2016

According to the assignment, we performed audit procedures concerning the following aspects of operating procedures in addition to our audit of the financial statements for the financial period from 1 January 2015 to 31 December 2016:

(a) Whether expenses incurred during this financial period were in accordance with the appropriations approved by the Meeting of States Parties;

(b) Whether expenditures incurred had been appropriately authorized by the party designated for that purpose in the Rules of the Tribunal or its Financial Regulations;

(c) Whether staff and persons being paid by the Tribunal had been recruited or engaged in the manner provided for in the Rules of the Tribunal or its Staff Regulations and Rules;

(d) Whether goods and services had been procured in accordance with the procedures provided for in the Financial Regulations and Rules of the Tribunal;

(e) Whether goods and services which had been procured were in line with the approved budget, properly recorded and not excessive, having regard to circumstances and the functions of the Tribunal;

(f) Whether the Nippon Foundation grant, the Trust Fund for the Law of the Sea, the CIIS grant and the Trust Fund for the twentieth anniversary of the Tribunal, maintained in separate special accounts, were administered in accordance with the relevant memorandums and terms of reference.

As part of our audit of the financial statements the following additional procedures were performed by us:

1. Approval of expenses

As instructed, we have audit procedures to determine whether the expenses incurred during the financial period 2015-2016 are in accordance with the appropriations approved by the Meeting of States Parties in all material respects.

From the approved budget for the financial period 2015-2016 amounting to €18,817,600, a total amount of €18,662,719 was spent against approved budget lines, resulting in savings of €154,881. Although, the overall budget was underspent, overexpenditures were incurred in some budget lines.

The Tribunal was able to finance these overexpenditures by using savings from other budget lines in the same section, in accordance with financial rule 104.3 of the Tribunal.

Also there were some overexpenditures which could not be balanced from savings from other budget lines in the same section. In accordance with financial regulation 4.6, it is necessary to get an authorization from the Meeting of States

Parties in such cases. This request was made to the twenty-sixth Meeting of States Parties in June 2016.

2. Authorization of expenditures

We performed audit procedures concerning the procedures for the authorization of expenditures in the period 2015-2016, as outlined in the Financial Regulations and Rules of the Tribunal, and conducted tests on a sample basis, to determine whether those procedures had been strictly followed by the Tribunal in all material respects.

As a result of the work done, we found that the procedures for the authorization of expenditures had been carried out in all material respects in accordance with the Rules of the Tribunal and the Financial Regulations and Rules of the Tribunal.

3. Procedures for recruiting/engaging staff

In the period 2015-2016, the Tribunal recruited one new staff member. We have audit procedures to determine if the procedures for recruiting and engaging of the new staff member were in line with the Rules of the Tribunal or the Staff Regulations and Rules of the Tribunal in all material respects.

As a result of the work done, we found that the Tribunal had carried out the procedures for recruiting and engaging staff in all material respects in accordance with the Rules of the Tribunal or the Staff Regulations and Rules of the Tribunal.

4. Procedures for procurement of goods and services

We conducted audit procedures to determine whether the procedures followed by the Tribunal in the order process had been in line with the Financial Regulations and Rules of the Tribunal (i.e., whether they had included a request for bids or tenders, fair analysis of tenders and written contracts) and conducted tests, on a sample basis, to determine whether those procedures had been followed by the Tribunal in all material respects.

As a result of the work done we found that the procedures for procurement of goods and services had been in all material respects carried out in accordance with the Financial Regulations and Rules of the Tribunal.

5. Examination of whether goods and services which have been procured are in line with the approved budget, properly recorded and not excessive, having regard to circumstances and the functions of the Tribunal

We conducted audit procedures to determine whether: (a) the expenditures reported for the financial period had been properly included in the statement of income, expenditures and changes in reserves and fund balances in all material respects and had been charged to the appropriate budget line in all material respects; and (b) the goods and services procured had been in line with the approved budget in all material respects.

As a result of the work done, we found that the expenditures for the financial period had in all material respects been properly included in the statement of

income, expenditures and changes in reserves and fund balances and had been charged to appropriate budget line in all material respects. The overexpenditures in the financial period could be reasonably explained and had been compensated for by savings under other budget lines.

6. Examination regarding the Nippon Foundation grant, the Trust Fund for the Law of the Sea and the China Institute of International Studies grant

We conducted audit procedures to determine whether the Nippon Foundation grant, the Trust Fund for the Law of the Sea, the CIIS grant and the Trust Fund for the twentieth anniversary of the Tribunal, which are maintained in separate trustee accounts, are in all material respects administered in accordance with the respective agreements.

Nippon Foundation grant

Pursuant to the agreements, the Nippon Foundation contributed an amount of €460,000 in the period 2015-2016 to the Nippon Foundation's International Tribunal for the Law of the Sea capacity-building and training programme on dispute settlement under the United Nations Convention on the Law of the Sea. The purpose of the grant is to finance the expenses of participants from developing countries in the programme. The Nippon Foundation grant was invested in a special bank account.

During the financial period 2015-2016, the sum of €376,829 was withdrawn from the Nippon Foundation grant to provide funding for the programme's activities. In the financial period, participants from several developing countries took part in the programme.

As at 31 December 2016, the special bank account of the Nippon Foundation grant shows a balance of €350,449.

We also refer to the performance report of the Nippon Foundation grant in appendix V.

Trust Fund for the Law of the Sea

Total contributions in the amount of €61,000 were made to the Trust Fund as explained in the financial report in appendix V. A special bank account was set up for the Trust Fund.

During the financial period 2015-2016, an amount of €77,197 was withdrawn to provide funding to the internship programme of the International Tribunal for the Law of the Sea and the regional workshops.

The special bank account showed a balance of €31,915 as at 31 December 2016.

We also refer to the performance report of the Trust Fund in appendix V.

China Institute of International Studies grant

According to the memorandum of understanding dated 3 May 2012 between CIIS and the International Tribunal for the Law of the Sea, the Institute provided a

lump sum of €100,000 as financial assistance for supporting the continuation of the International Tribunal for the Law of the Sea internship programme, the summer academy on the law of the sea, maritime law and for implementing other programmes.

During the financial period 2015-2016, an amount of €336.50 was withdrawn from the CIIS grant as bank charges.

The CIIS grant was invested in a special bank account, which showed a balance at 31 December 2016 of €15,541.98.

We also refer to the performance report of the CIIS grant in appendix V.

Trust Fund for the twentieth Anniversary of the Tribunal

The Trust Fund for the twentieth Anniversary of the Tribunal was set up to provide financial assistance for the organization of events and activities on the occasion of the twentieth anniversary of the Tribunal in 2016. Contributions were received from the Korea Maritime Institute (€25,000 on 24 May 2016 and €25,000 on 4 July 2016), from the Government of Japan (€109,443 on 28 July 2016) and from the Government of Germany (€7,000 on 6 December 2016).

The special bank account showed a balanced of €28,046.52 at 31 December 2016.

We also refer to the performance report of the twentieth Anniversary of the Tribunal Grant in appendix V.

Appendix VII

General engagement terms for Wirtschaftsprüfer (German Public Auditors) and Wirtschaftsprüfungsgesellschaften (Public Audit Firms) as well as special conditions for increased liability

[For the text of appendix VII, see SPLOS/192, annex I, appendix VI.]